

OFFICIAL MINUTES
McKENZIE MUNICIPAL-REGIONAL PLANNING COMMISSION
26 OCTOBER 2016 MEETING
MCKENZIE MUNICIPAL COMPLEX @ 3:00 P.M.

1. Call to Order:

The Meeting was called to order by Chairman Robb at 3:23 P.M.

2. Roll Call/Establish of Quorum:

a. Quorum Present

- i. **MMRPC:** Chairman, Dean Robb; Vice-Chair, Bobby Young; Council Liaison, Charles Pruneau; Peggy Kee.
- ii. **Absent:** Mayor, Jill Holland (City Business); Secretary, Garlon Prewitt (Out-of-Town, Personal Business); Ken Mitchum (Medical Appointments).
- iii. **Other:** Shelton I. Merrill, SWTDD Regional Planner; Ricky Watkins, Building Inspector/Codes Consultant; Terry McCoy, City Recorder; Randy Nelson, Nelson Community Development Group (CDBG); Brents Priestley, Sandi Stafford, Ann Dinkins, Julia H. Winters, Zia Locke
- iv. **Media:** None

3. Review and Approval of Agenda: 26 October 2016

Motion by: Peggy Kee; **Second By:** Bobby Young;

Passed: 4-0-3*

*** Absent**

4. Opening of the Public Hearing for CDBG:

The Hearing opened by Chairman Robb at 3:30 P.M. and turned the Hearing over to Randy Nelson, Nelson Community Development Group. Mr. Nelson explained the CDBG process since the City of McKenzie is considering the submittal of an application to the Tennessee Department of Economic and Community Development, Community Development Block Grant (CDBG) program. The purpose of this public hearing is to discuss the program guidelines, the available funds, eligible projects and the community's responsibility in the application process. The City's governing body is seeking comments from the public in order to determined priorities for the use of the funds to be requested. Mr. Nelson outlined the six categories of projects eligible for the CDBG "regular round" applications due 27 February 2017 including 1) water line extensions, 2) sewer line extensions, 3) water system improvements, 4) sewer system improvements, 5) housing rehabilitation and 6) community livability. Categories 1) thru 5) have a \$500,000 maximum grant limit and category 6) has a \$300,000 maximum grant limit. The CDBG program is a federally program with federal and state application requirements. Only one application can be submitted by a city, therefore priorities must be determined by the local executive and legislative body.

The public discussion and comment period followed the presentation.

After no further questions and/or comments remained, Chairman Robb closed the Hearing at 3:45 P.M.

5. Review and Approval of 28 September 2016 Minutes:

Motion by: Bobby Young; **Second By:** Peggy Kee;
*** Absent**

Passed: 4-0-3*

6. Old Business: None

7. New Business:

Review of the Julia Winters Application for Property Reclassification concerning properties located at 459 E. Clark Street and 1515 Cedar Street.

Background:

Ms. Julia H. Winters has submitted the aforementioned rezoning application so that property located at 549 E. Clark Street and 1515 Cedar Streets may be rezoned from B-2 (Highway Business) to R-1 (Low Density Residential). The subject properties are not located within an area of one percent (1%) chance of periodic flooding and are further described as tax parcels 054.01 and 055.00, Carroll County Tax Map 011 owned by Julia H. Winters.

Analysis:

The State of Tennessee Comptroller of the Treasury Property Data Assessment Page depicts the image for the above-mentioned tax parcels:

After reviewing the site of the subject properties in question, the regional staff planner does not have a negative analysis of the submitted application due to the following reasons:

- 1) Although the submittal does not conform to the prepared / amended McKenzie Municipal-Regional 2029 Land Use and Transportation Plan, the existing uses for the respective properties are residential; and,
- 2) The regional staff planner does not envision any alacrity for developers to develop the subject area commercially in the near future.

Recommendation:

Staff recommends the Julia Winters application for property reclassification be endorsed by the McKenzie Municipal-Regional Planning Commission by providing a positive recommendation for an ordinance to rezone the aforementioned properties to the McKenzie Board of Mayor and Council.

Motion to approve the Julia H. Winters application for property reclassification and forward an ordinance to rezone the properties listed to the McKenzie Board of Mayor and Council:

Motion by: Bobby Young; **Second By:** Charles Pruneau
*** Absent**

Passed: 4-0-3*

Review of the Brents Priestley et al inquiry regarding the property at 2001 Cedar Street.

Background:

Current Owners: Glenn F. Sacks ETUX, Mary Katheleen

The structure is a non-conforming single-family residence located in a B-2 Highway Business zone. The subject property is not located within an area of one percent (1%) chance of periodic flooding and are further described as tax parcel 024.01, Carroll County Tax Map 012L owned by Glenn F. Sacks ETUX and Mary Katheleen.

Analysis: City of McKenzie Zoning Ordinance excerpt: (Zoning Ordinance of McKenzie, Tennessee 4 – 13)

“11-402. Non-Conformities

1. Within the districts established by this Ordinance or amendments that may later be adopted there exist:
 - (a) Non-conforming structures
 - (b) Non-conforming uses of land

(c) Non-conforming uses of structures which were lawful before this Ordinance was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this Ordinance or future amendment. It is the intent of this Ordinance to recognize that the elimination, as expeditiously as is reasonable, of the existing structures or uses of land or structures that are not in conformity with the provisions of this Ordinance is as much a subject of health, safety and welfare as is the prevention of the establishment of new uses that would violate the provisions of this Ordinance. It is also the intent of this Ordinance to so administer the elimination of non-conformities as to avoid any unreasonable invasion of established private property rights.

2. Any non-conforming structure with the exception of non-conforming residential structures excluding mobile homes may not be:

(a) Extended except in conformity with this Ordinance except as permitted by Section 13-7-208, Tennessee Code Annotated.

(b) Rebuilt or repaired after damage exceeding seventy-five (75) percent of replacement value except in conformity with the provision of this Ordinance or as permitted by Section 13-7-208, Tennessee Code Annotated.”

“non-conforming residential structures” applies to the subject property.

Opinion/Interpretation by Planner Merrill with the consensus of the MMRPC present is that the 75% Restriction does not apply to this structure and other similar single-family residences in the City of McKenzie B-2 (Highway Business) zones.

Therefore the loan/mortgage restriction is NOT applicable.

Other Business: Municipal Reports:

a. **Municipal Reports: None**

b. **Mayor/City Inspector/Codes: None**

c. **ADA Training 14 November 2016 in Jackson, TN: Self-Evaluations for ADA Compliance and Public Right-of Way Accessibility:**

City of McKenzie attendees: Terry McCoy, City Recorder; Johnny Mercer, Public Works Director and Dean E. Robb, MMRPC Chair.

d. **Planner Merrill set the training schedule for the remainder of this calendar year.**

8. Meeting Dates and Adjournment:

a. **Agenda Meeting and Formal Monthly Meeting Scheduled Dates:**

NOVEMBER:

Agenda Meeting: 09 NOVEMBER 2016, Wednesday @ 3:00 P.M.

Formal Monthly Meeting: 22 NOVEMBER 2016, Tuesday @ 3:00 P.M.

(Thanksgiving Holiday)

DECEMBER:

Combined Agenda Meeting & Formal Monthly Meeting:

14 DECEMBER 2016, Wednesday @ 3:00 P.M.

(Christmas Holiday)

9. Adjournment:

a. **Adjournment Time: 3:50 P.M.**

Motion By: Bobby Young; **Second By:** Peggy Kee;

Passed: 4-0-3*

*** Absent**